REMARKS/ARGUMENTS

In response to the above-identified Office Action, Applicant has canceled claims 1 and 11 and amended claims 2, 10, 12, and 20. Accordingly, claims 2-10 and 12-21 remain pending in the present application.

This application is under final rejection. Applicant has presented arguments hereinbelow that Applicant believes should render the claims allowable. In the event, however, that the Examiner is not persuaded by Applicant's arguments, Applicant respectfully requests that the Examiner enter the remarks to clarify issues on appeal.

For the reasons set forth more fully below, Applicant respectfully submits that the present claims are allowable. Consequently, reconsideration, allowance and passage to issue of the present application are respectfully requested.

With regard to the objection to claim 20, Applicant has amended the preamble to recite 'program instructions.' Applicant respectfully submits that the amendment merely corrects a typographical error, as noted by the Examiner. Applicant respectfully submits that no new matter has been added by the amendments nor has the scope of the claim been changed by the amendment. In view of the amendment, Applicant respectfully requests withdrawal of the objection to claim 20.

The Examiner rejected claims 1 and 11 under 35 U.S.C. 102(e) as being anticipated by Sequeira. The Examiner cited 35 U.S.C. 103(a) in rejecting: claims 2 and 12 as being unpatentable over Sequeira in view of Sharma et al ("Sharma"); 3 and 13 as being unpatentable over Sequeira in view of Sharma in view of Dangelo et al. ("Dangelo"); claims 4-6, 8-9, 14-16, and 18-19 as being unpatentable over Sequeira in view of Sharma in view of Dangelo and further in view of Guedalia et al. ("Guedalia");

claims 7 and 17 as being unpatentable over Sequeira in view of Sharma in view of Dangelo and further in view of Flenley et al. ("Flenley"); claim 10 as being unpatentable over Sequeira in view of Wang; claim 20 as being unpatentable over Sequeira; and claim 21 as being unpatentable over Sequeira in view of Dangelo in view of Guedalia. Applicant respectfully disagrees with the rejections.

In the present invention, managing subsystem processes from a central site in a digital media distributor system (DMD) includes utilizing a plurality of threads as a task manager in a central site server of the digital media distributor, and autonomously controlling initiation and termination of one or more subsystem processes with the task manager. As described in the specification (page 4, line 21 - page 5, line 2), the central site is the location in the DMD for the digital encoding of MPEG-2 files from source video tapes, for the storage and management of digital files, for the management of remote site(s), and for the distribution of schedules and MPEG-2 files. Thus, the processing, analysis, distribution, and management of data occurs at the central site. Through the present invention, the task manager of the central site provides an ability to manage subsystem processes associated with data object transmissions of the DMD in a straightforward and effective manner.

Applicant has amended claims 2 and 12 to be of independent form by incorporating the features of their respective parent claims, independent claims 1 and 11. Applicant has canceled claims 1 and 11. Further, Applicant has amended claim 10 to depend from newly independent claim 12, rather than canceled claim 1. Applicant respectfully submits that no new matter has been added by the amendments and that the scope of the claims has not been changed.

In rejecting claims 2 and 12, the Examiner states, "Sharma discloses the following limitations not shown by Sequeira, specifically the method of claim 1 wherein utilizing a plurality of threads further comprises utilizing a main manager thread ... By utilizing a main manager thread, as disclosed by Sharma, to manage the creation and deletion of threads, threads can be created and destroyed dynamically, ..." Applicant respectfully disagrees with the Examiner's position.

The "server management thread" of Sharma pointed to by the Examiner as a "main manager thread" is disclosed as being responsible for management of the server thread pool by coordinating the creation or deletion of server threads in the server thread pool. While the Examiner contends that utilization of this so-called 'main manager thread' would allow creation and deletion of threads dynamically in Sequeira, Applicant fails to see how or why a server management thread could or would be used with Sequeira. Sequeira teaches the utilization of the System Scheduling mechanisms 340 to generate tasks that are assigned to threads whose status is monitored during execution (see col. 9, lines 5-65). Thus, Applicant respectfully submits that Sequeira specifically teaches a manner of addressing thread management that, as the Examiner admits, does not utilize a main manager thread. Applicant further respectfully submits that there is nothing to teach or suggest that this management by Sequeira is not dynamic in creating and deleting threads. Therefore, Applicant fails to see any motivation to introduce the use of a server management thread from Sharma in Sequeira, as contended by the Examiner. Accordingly, Applicant respectfully submits that claims 2 and 12 are allowable over the cited art.

Regarding independent claim 20, the Examiner contends that Sequeira discloses providing a task manager as a main program thread of an operating system of a central site server of a DMD system in the discussion of threads in col. 9, lines 16-31. Applicant fails to see any teaching or suggestion that the threads discussed in col. 9, lines 16-31, are, in any way, provided as a main program thread of an operating system, as contended by the Examiner. Rather, Sequeira's Thread Pool and Queue is shown and discussed as part of the System Scheduling mechanism which is part of the Master Scheduler 120 (e.g., see Figures 3B and 4A). There is nothing to teach or suggest that these features are, in any way, part of an operating system. Thus, Applicant respectfully submits that there is nothing to teach or suggest the recited aspect of providing a task manager as a main program thread of an operating system of a central site server of the DMD system in Sequeira.

Further, while the Examiner takes Official Notice that the recited managing of subsystem processes in claim 20 is well known and expected in the art, even if such Official Notice were accurate, it does not overcome the deficiencies of Sequeira regarding provision of a task manager as a main program thread of an operating system of a central site server of the DMD system. Therefore, Applicant respectfully requests withdrawal of the rejection of claim 20.

In view of the foregoing, Applicant respectfully submits that independent claims 2, 12, and 20 are allowable over the cited art. Applicant further respectfully submits that the respective dependent claims 3-10, 13-19, and 21 of independent claims 2, 12, and 20, include the features of the independent claims that are believed to be allowable over the

cited art, while adding further features and thus are also allowable for at least those reasons stated above.

Further, with regard to claim 10, the Examiner admits that Sequeira does not show the recited feature of controlling of subsystem processes with a task manager of the central site includes controlling a subsystem process from the group comprising a scheduler process, a stage manager process, a local insertion system proxy process, an error document check process, a response document processor process, a disk pool manager process, a request generator process, As-Run manager processes, an update network break time process, and a network local broadcast process, the Examiner. While the Examiner then points to Wang (col. 3, line 57 - col. 4, line 10) for disclosing this recited aspect of the present invention and contends that it would have been obvious to combine Sequeira with Wang "since the processes being executed must be a set of processes an operating system requests service for. The PSSP and AIX definitions incorporated into Wang show that these are two operating systems that are commonly used together, thus a need exists for a system that treats the processes of these systems,"Applicant respectfully disagrees with this position.

As stated above, the control of subsystem processes of the present invention occurs via a task manager in a central site of a DMD system. While the task manager is shown in the operating system layer in Applicant's Figure 2 and the operating system layer indicates AIX and PSSP programming, Applicant respectfully submits that there is nothing in the mere description of the PSSP layer over an AIX operating system layer in Wang that would teach or suggest a task manager in that layer. Thus, there is nothing in Wang to teach or suggest controlling a subsystem process via a task manager nor the

control of subsystem processes from the group comprising a scheduler process, a stage manager process, a local insertion system proxy process, an error document check process, a response document processor process, a disk pool manager process, a request generator process, As-Run manager processes, an update network break time process, and a network local broadcast process with a task manager, as recited by the Applicant. Therefore, given the admitted deficiency of Sequeira regarding this aspect of the present invention, and the lack of any teaching or suggestion in Wang regarding this aspect, Applicant respectfully submits that even the combination of Sequeira with Wang fails to teach or suggest the recited invention, as originally presented in claim 10.

With regard to the teaching of the spawning of child threads from Dangelo or the teaching of a watchdog thread from Guedelia or the teaching of control thread spawning in Flenley, given the aforementioned deficiencies of Sequeira, Applicant respectfully submits that even the inclusion of any of these cited references with Sequiera would not render Applicant's recited invention unpatentable.
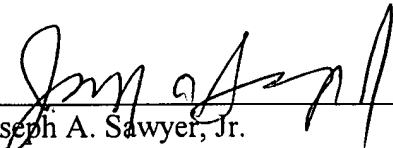
In view of the foregoing, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. 102(e) and 103(a).

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

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